

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

Kevin Paul Peno

v.

Case No. 11-cv-242-SM

David Varano, et al.

ORDER

I herewith approve the Report and Recommendation of Magistrate Judge Landya B. McCafferty dated May 8, 2012, no objection having been filed, for the reasons set forth therein. The Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 is hereby dismissed without prejudice for lack of jurisdiction and for failure to demonstrate exhaustion.

SO ORDERED.

May 30, 2012

/s/ Steven J. McAuliffe

Steven J. McAuliffe  
United States District Judge

cc: Kevin Paul Peno, pro se